

FORM PTO-1390 (Modified)
(REV 5-93)

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

24741-1525

U.S. APPLICATION NO. (If known, see 37 CFR 1.51)

09/856694

INTERNATIONAL APPLICATION NO.
PCT/EP99/09067INTERNATIONAL FILING DATE
24 November 1999PRIORITY DATE CLAIMED
25 November 1998

TITLE OF INVENTION

HYPERFORIN AS A CYTOSTATIC AGENT AND HYPERFORIN OINTMENT OR CREAM AS AN APPLICATION
FORM

APPLICANT(S) FOR DO/EO/US

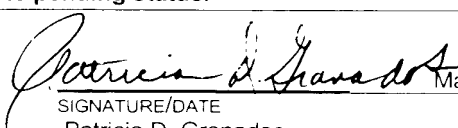
Jan C. SIMON, Christoph M. SCHEMPP, Erwin SCHOEPP and Birgit SIMON-HAARHAUS

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371©(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371 ©(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371©(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371©(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371©(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371©(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: **Unexecuted Declaration; PTO/SB/08A (including 19 references)**

U.S. APPLICATION NO. (37 CFR 1.53) -NEW 097/856694		INTERNATIONAL APPLICATION NO. PCT/EP99/09607		ATTORNEY'S DOCKET NUMBER 24741-1525																	
17. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS <small>PTO USE ONLY</small>																	
<p>Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . \$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$710.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$690.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$100.00</p>																					
ENTER APPROPRIATE BASIC FEE AMOUNT =																					
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 ___ 30 ___ months from the earliest claimed priority date (37 CFR 1.492(e))																					
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:15%;">NUMBER EXTRA</th> <th style="width:15%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>20 -20 =</td> <td>0</td> <td>X \$18.00</td> </tr> <tr> <td>Independent Claims</td> <td>2-3 =</td> <td>0</td> <td>X \$80.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>0 + \$270.00</td> </tr> </tbody> </table>						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total Claims	20 -20 =	0	X \$18.00	Independent Claims	2-3 =	0	X \$80.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			0 + \$270.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																		
Total Claims	20 -20 =	0	X \$18.00																		
Independent Claims	2-3 =	0	X \$80.00																		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			0 + \$270.00																		
TOTAL OF ABOVE CALCULATIONS =																					
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).																					
SUBTOTAL =																					
Processing fee of \$130.00 for furnishing English translation later the 20 ___ 30 ___ months from the earliest claimed priority date (37 CFR 1.492(f)).																					
TOTAL NATIONAL FEE =																					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +																					
TOTAL FEES ENCLOSED =																					
				Amount to be: refunded \$																	
				charged: \$																	
<p>a. ___ Our check no. _____ in the amount of <u>\$860</u> to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>08-1641</u> in the amount of <u>\$430.00</u> to the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-1641</u>. A duplicate copy of this sheet is enclosed.</p>																					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																					
<p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Patricia D. Granados, Esq. HELLER EHRMAN WHITE MCAULIFFE LLP 1666 K Street, NW, Suite 300 Washington, DC 20006-1228 Telephone: (202) 912-2000 Telecopier: (202) 912-2020</p> </div> <div style="width: 45%; text-align: right;"> <p> May 24, 2001 SIGNATURE/DATE Patricia D. Granados NAME 33,683 REGISTRATION NUMBER</p> </div> </div>																					



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U.S. PATENT & TRADEMARK OFFICE

09/856694

JCI 24 MAY 2001

PTO/SB/17 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

Complete if Known

Application Number	To Be Assigned
Filing Date	Herewith
First Named Inventor	Jan Simon
Examiner Name	To Be Assigned
Group / Art Unit	To Be Assigned
Attorney Docket No.	24741-1525

TOTAL AMOUNT OF PAYMENT (\$) 430**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

08-1641

Deposit
Account
Name

HELLER EHRMAN WHITE & MCAULIFFE

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status.
See 37 CFR 1.27

- 2.
- ☐
- Payment Enclosed:

☐ Check ☐ Credit card ☐ Money
Order ☐ Other
FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	-20	= 0	X = 0
Independent Claims	2	-3	= 0
Multiple Dependent			X = 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) National Phase PCT filing					430

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 430)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Patricia D. Granados	Registration No. Attorney/Agent)	33,683	Telephone	(202) 912-2142
Signature	<i>Patricia D. Granados</i>			Date	May 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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